

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Dee Brown, on March 27, 2017 at 3:00 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Dee Brown, Chair (R)
Sen. Douglas (Doug) Kary, Vice Chair (R)
Sen. Sue Malek (D)
Sen. Ryan Osmundson (R)
Sen. Frank Smith (D)
Sen. Nels Swandal (R)
Sen. Gordon Vance (R)
Sen. Lea Whitford (D)

Members Excused: None

Members Absent: None

Staff Present: Barbara Pietuch, Committee Secretary
Rachel Weiss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 366, 3/23/2017; SB 368, 3/23/2017

Executive Action: HB 533 - Be Concurred In As Amended
SB 352 - Do Pass; SB 366 - Do Pass
SB 368 - Do Pass; HJ 12 - Be Tabled
HB 514 - Vote Tied

00:00:01 Chair Brown

HEARING ON SB 366

Opening Statement by Sponsor:

00:01:06 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 366, Generally revise driver's license and state identification laws.

EXHIBIT(sts63a01)

00:09:55 Chair Brown

Proponents' Testimony:

00:10:09 Spook Stang, lobbyist, Motor Carriers of Montana

Opponents' Testimony: None

Informational Testimony:

00:12:53 Sarah Garcia, administrator, Motor Vehicle Division, Department of Justice (DOJ)

00:13:15 Brigadier General Robert Sparing, assistant adjutant general, Montana National Guard; Department of Military Affairs (DMA)

Questions from Committee Members and Responses:

00:13:47 Sen Swandal
00:14:26 Mr. Sparing, DMA
00:14:43 Sen. Swandal
00:14:50 Mr. Sparing
00:15:02 Sen. Swandal
00:15:13 Mr. Sparing
00:15:21 Sen. Kary
00:15:34 Ms. Garcia, DOJ
00:15:47 Sen. Kary
00:16:13 Ms. Garcia
00:17:25 Sen. Kary
00:17:49 Sen. Cohenour
00:18:23 Sen. Kary
00:18:39 Sen. Cohenour
00:18:52 Sen. Kary
00:18:56 Chair Brown
00:18:59 Sen. Cohenour
00:19:33 Sen. Kary
00:19:39 Chair Brown
00:20:07 Ms. Garcia
00:21:11 Chair Brown
00:21:18 Ms. Garcia
00:21:25 Chair Brown

00:21:46 Ms. Garcia
00:22:16 Chair Brown
00:22:34 Sen. Malek
00:22:52 Ms. Garcia
00:24:54 Sen. Malek
00:25:11 Ms. Garcia
00:25:50 Chair Brown
00:26:31 Ms. Garcia
00:27:17 Chair Brown

Closing by Sponsor:

00:27:26 Sen. Cohenour
00:29:23 Chair Brown

HEARING ON SB 368

Opening Statement by Sponsor:

00:30:15 Sen. Tom Richmond (R), SD 28, opened the hearing on SB 368, Generally revise campaign practices laws.

EXHIBIT(sts63a02)

00:36:51 Sen. Whitford entered the meeting.

00:38:35 Sen. Osmundson left the meeting.

Proponents' Testimony: None

Opponents' Testimony:

00:38:16 Andrew Huff, chief legal council, Governor's Office
00:41:30 Jonathan Motl, commissioner, Office of the Commissioner of Political Practices (COPP)

EXHIBIT(sts63a03)

00:52:06 Chair Brown
00:52:14 Mr. Motl, COPP
00:59:14 C.B. Pearson, volunteer, Common Cause Montana (CCM)
01:08:37 Al Smith, executive director, Montana Trial Lawyers Association
01:16:06 Claudette Morton, public policy volunteer and Board of Directors co-president, League of Women Voters of Montana

Informational Testimony: None

Questions from Committee Members and Responses:

01:18:14 Sen. Malek
01:18:34 Mr. Pearson, CCM

01:19:20 Sen. Malek
 01:19:34 Mr. Pearson
 01:20:22 Sen. Malek
 01:20:30 Linda Stoll, lobbyist, Montana Association of Clerks and Records (MACR)
 01:21:15 Sen. Swandal
 01:21:35 Sen. Richmond
 01:21:59 Sen. Malek
 01:22:17 Ms. Stoll, MACR
 01:22:44 Sen. Malek
 01:23:19 Mr. Motl, COPP
 01:23:57 Sen. Malek
 01:24:23 Mr. Motl
 01:25:58 Sen. Malek
 01:26:36 Mr. Motl
 01:28:25 Chair Brown
 01:28:32 Mr. Motl
 01:28:47 Sen. Malek
 01:29:11 Mr. Motl

Closing by Sponsor:

01:29:26 Sen. Richmond
 01:31:05 Chair Brown
 01:31:16 Recess
 01:44:40 Reconvene

EXECUTIVE ACTION ON SB 352

01:44:46 **Motion:** Sen. Kary moved that **SB 352 DO PASS.**

Discussion:

01:44:50 Chair Brown
 01:45:02 **Vote:** Motion carried 5-3 by roll call vote with Sen. Malek, Sen. F. Smith and Sen. Whitford voting no. Sen. Osmundson voted by proxy.

EXECUTIVE ACTION ON SB 366

01:45:54 **Motion:** Sen. Kary moved that **SB 366 DO PASS.**

Discussion:

01:45:58 Sen. Swandal
 01:46:18 Sen. Smith
 01:46:31 Chair Brown
 01:46:35 Sen. Whitford
 01:47:19 Chair Brown

01:47:41 Sen. Whitford
01:47:48 Chair Brown
01:48:39 Rachel Weiss, research analyst, Legislative Services Division
01:48:52 Chair Brown

01:50:15 **Vote:** Motion carried 6-2 by voice vote with Sen. Kary and Sen. Vance voting no. Sen. Osmundson voted by proxy.

EXECUTIVE ACTION ON SB 368

01:50:40 **Motion:** Sen. Kary moved that **SB 368 DO PASS.**

Discussion:

01:50:51 Sen. Swandal

01:51:10 **Vote:** Motion carried 6-2 by roll call vote with Sen. Malek and Sen. Whitford voting no. Sen. Osmundson voted by proxy.

01:52:21 Chair Brown

EXECUTIVE ACTION ON HJ 12

01:52:39 **Motion:** Sen. Kary moved that **HJ 12 BE CONCURRED IN.**

Discussion:

01:53:04 Sen. Malek

01:53:25 **Motion:** Sen. Malek moved that **HJ 12 BE AMENDED.**
EXHIBIT(sts63a04)

Discussion:

01:53:37 Sen. Malek
01:53:52 Chair Brown
01:54:06 Sen. Malek
01:54:24 Sen. Smith

01:54:43 **Vote:** Motion carried 4-3 by voice vote with Sen. Brown, Sen. Swandal and Sen. Vance voting no. Sen. Osmundson was excused.

01:55:17 **Motion:** Sen. Kary moved that **HJ 12 BE CONCURRED IN AS AMENDED.**

Discussion:

01:55:27 Chair Brown

01:56:02 **Vote:** Motion failed 3-4 by roll call vote with Sen. Malek, Sen. F. Smith and Sen. Whitford voting aye. Sen. Osmundson was excused.

01:56:47 **Motion/Vote:** Sen. Kary moved that **HJ 12 BE TABLED AND THE VOTE REVERSED**. Motion carried 7-0 by voice vote of those present and voting.

EXECUTIVE ACTION ON HB 533

01:57:06 **Motion:** Sen. Kary moved that **HB 533 BE CONCURRED IN**.

01:57:56 **Motion:** Sen. Kary moved that **HB 533 BE AMENDED**.
[EXHIBIT\(sts63a05\)](#)

Discussion:

01:58:03 Chair Brown

01:58:10 Rachel Weiss, research analyst, Legislative Services Division

01:59:18 Chair Brown

01:59:22 **Vote:** Motion carried 6-1 by voice vote with Sen. F. Smith voting no. Sen. Osmundson was excused.

01:59:58 **Motion:** Sen. Kary moved that **HB 533 BE CONCURRED IN AS AMENDED**.

Discussion:

02:00:04 Chair Brown

[EXHIBIT\(sts63a06\)](#)

02:02:13 Sen. Swandal

02:02:31 Sen. Malek

02:03:04 Chair Brown

02:03:48 Sen. Malek

02:04:20 **Vote:** Motion carried 4-3 by roll call vote with Sen. Malek, Sen. F. Smith and Sen. Whitford voting no. Sen. Osmundson was excused. Sen. Brown will carry the bill.

EXECUTIVE ACTION ON HB 514

02:05:06 **Motion:** Sen. Kary moved that **HB 514 BE CONCURRED IN**.

02:05:39 **Motion:** Sen. Swandal moved that **HB 514 BE AMENDED**.
[EXHIBIT\(sts63a07\)](#)

Discussion:

02:05:56 Sen. Swandal

02:06:17 Chair Brown

02:06:31 Sen. Whitford

02:07:09 Sen. Malek

02:07:46 Sen. Kary

02:08:09 Rachel Weiss, research analyst, Legislative Services Division (LSD)

02:08:33 Sen. Malek
02:08:46 Ms. Weiss, LSD
02:09:19 Chair Brown

02:09:25 **Vote:** Motion failed 4-4 by roll call vote with Sen. Kary, Sen. Osmundson, Sen. Swandal and Sen. Vance voting aye. Sen. Osmundson voted by proxy.

Discussion:

02:10:33 Sen. Whitford
02:11:20 Chair Brown
02:12:11 Sen. Whitford

02:12:26 **Vote:** Motion failed 4-4 by roll call vote with Sen. Malek, Sen. F. Smith, Sen. Swandal and Sen. Whitford voting aye. Sen. Osmundson voted by proxy.

02:13:25 Chair Brown

ADJOURNMENT

Adjournment: 5:15 PM

Barbara Pietuch, Secretary

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Additional Documents:

EXHIBIT([sts63aad.pdf](#))